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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/619,067

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Peter J. Letts

7011-US3

2113

7590

09/10/2002

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EXAMINER

MOHAMED, CHARIOUI

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 09/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/619,067

Applicant(s)

LETTS ET AL.

Examiner

Mohamed Charioui

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2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 3, 4, 10 and 11** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claim 3** recites the limitation "said telecom mask" in page 10, lines 27-28. There is insufficient antecedent basis for this limitation in the claim.

**Claim 4** is dependent on claim 3; therefore it is rejected for the same reason.

**Claim 10** recites the limitation "said telecom mask" in page 13, lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

**Claim 11** is dependent on claim 10; therefore it is rejected for the same reason.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 2, 5-9 and 12-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flakne et al. in view of Klingman.

**As per claims 1 and 8**, Flakne et al. teach a test and measurement instrument (i.e. oscilloscope) for multi-channel mask testing (see col. 6, lines 29-42): a group of M

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signal input terminals for receiving M signals from a circuit under test and an acquisition system coupled to the M signal input terminals for acquiring samples of a waveform at each of the M signal input terminals (see col. 9, lines 4-57); a controller for generating mask pixel data defining a mask (see col. 6, lines 47-59); a memory for storing waveform samples and mask pixel data, mask pixel data including an identification code (i.e. identification bits) (see col. 10, lines 54-65); and display circuitry for simultaneously displaying a representation of the mask and all of the waveforms from the M signal input terminals (see col. 6, lines 18-59). Flakne et al. further teach a multiplexer having N input channels and M output channels, where N is greater than M, and M is greater than one, for selecting ones of the N-channels in groups of M-channels at a time in response to a first control signal; each of the N input channels being coupled to receive a signal from a respective one of N output channels of a circuit under test. Flakne et al. fail to explicitly teach a comparison circuitry for reading a memory location, and determining if any acquired waveform sample of the signal from each of the M signal input terminals is to be written into a memory location currently storing a mask pixel, causing a mask violation. Klingman teaches this feature (see col. 4, lines 10-23; col. 4, line 52 to col. 5, line 13; and col. 5, line 24 to col. 6, line 53). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Klingman's teaching into Flakne et al.'s invention because it would identify the type of the pixel that needs to be stored in the pixel memory location; it would prevent copying a waveform sample into a mask pixel; therefore it would avoid mask violation.

**As per claims 2 and 9**, Flakne et al. further teach a rasterizer; memory is a raster memory; comparison is performed by the rasterizer examining pixel data of the raster memory for the identification code as waveform samples are composited into the raster memory; and the comparison being performed sequentially on a waveform basis (see col. 6, lines 7-60 and col. 10, lines 54-65).

**As per claims 5 and 12**, Flakne et al. further teach that the controller generating mask pixels is a microprocessor (see col. 16, lines 5-15).

**As per claims 6 and 13**, Flakne et al. further teach that controller generating mask pixels is a dedicated ASIC (i.e. look-up-table 35 which is a library provided by the manufacturer) (see col. 9, line 47 to col. 10, line 26).

**As per claims 7 and 14**, Flakne et al. further teach that the test and measurement instrument is a digital oscilloscope (see col. 10, lines 4-26).

#### **Prior art**

3. The prior art made record and not relied upon is considered pertinent to applicant's disclosure:

**Yost et al. ['115]** disclose a method of controlling brightness and contrast in a raster scan digital oscilloscope.

**Sullivan et al. ['374]** disclose sparse vector rasterization.

**Vertregt et al. ['842]** disclose method and apparatus for improving time variant image details on raster display.

**Everett et al. ['607]** disclose a multi-format on screen monitor.

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**Contact information**

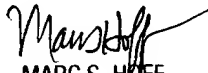
4. Any inquiry concerning this communication from examiner should be directed to Mohamed Charioui whose telephone number is 703 605-4362. The examiner can normally be reached Monday to Friday 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached at 703 308-1677. The fax phone number for the organization where this application is assigned is 703 305-3431.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose number is 703 308-0956.

Mohamed Charioui

August 28<sup>th</sup>, 2002

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
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